

CARLYON CICA CHTD.
CANDACE C. CARLYON, ESQ.
Nevada Bar No. 2666
DAWN M. CICA, ESQ.
Nevada Bar No. 4565
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119
Phone: (702) 685-4444
Email: ccarlyon@caryloncica.com
dcica@carlyoncia.com

Co-Counsel for Chris McAlary

Allan B. Diamond, Esq. (*pro hac vice pending*)
Stephen T. Loden, Esq. (*pro hac vice pending*)
Christopher D. Johnson, Esq. (*pro hac vice pending*)
DIAMOND McCARTHY LLP
909 Fannin, Suite 3700
Houston, Texas 77010
Phone: (713) 333-5100
Email: adiamond@diamondmccarthy.com
sloden@diamondmccarthy.com
chris.johnson@diamondmccarthy.com

Co-Counsel for Chris McAlary

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No. BK-23-10423-MKN
Chapter 11

**CHRIS MCALARY'S NOTICE OF
DEPOSITION OF DESIGNATED
REPRESENTATIVE OF THE
OFFICIAL COMMITTEE OF
UNSECURED CREDITORS
PURSUANT TO RULE 7030(B)(6)**

Date of Deposition: October 30, 2023

Time of Deposition: 9:00 a.m. (PT)

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure as made applicable by Rule 7030(b)(6) of the Federal Rules of Bankruptcy Procedure, Chris McAlary ("McAlary") will remotely take the oral deposition of the designated representative of the Official Committee of Unsecured Creditors (the "Committee") at 9:00 a.m. (PT) on October 30, 2023. The deposition will be recorded by stenographic means remotely. McAlary reserves the right to videotape the deposition. In accordance with its obligations under FRCP 30(b)(6), the Committee shall produce a representative with knowledge and ability to testify regarding the topics below.

TOPICS FOR EXAMINATION

1
2 1. The terms of the *Settlement Agreement and Mutual Release* (the “Settlement
3 Agreement”), the *Promissory Note*, and the *Intercreditor Agreement* attached as exhibits to the *Joint*
4 *Motion to Approve Settlement Agreement with Cole Kepro International, LLC, Pursuant to Federal*
5 *Rule of Bankruptcy Procedure 9019* (the “9019 Motion”).

6 2. Any analysis, evaluation, or assessment of the financial condition of Cole Kepro
7 International, LLC (“Cole Kepro”).

8
9 3. Any analysis, evaluation, or assessment of the claims of Cole Kepro against the
10 Debtor.

11 4. Any analysis, evaluation, or assessment of the claims of the Debtor against Cole
12 Kepro.

13 5. Any analysis, evaluation, or assessment of any offers to purchase the Debtor’s claims
14 against Cole Kepro, including any offers by McAlary.

15
16 6. Any communications between the Committee and the Debtor or the Committee and
17 Cole Kepro regarding settlement negotiations, the Settlement Agreement, or the 9019 Motion.

18 DATED this 23rd day of October 2023.

19 **CARLYON CICA CHTD.**

20 /s/ Dawn M. Cica
21 CANDACE C. CARYLON, ESQ.
22 Nevada Bar No. 2666
23 DAWN M. CICA, ESQ.
24 Nevada Bar No. 4565
25 265 E. Warm Springs Road, Ste. 107
26 Las Vegas, Nevada 89119

27 *Co-Counsel for Chris McAlary*

28 **AND**

DIAMOND McCARTHY LLP

/s/ Allan B. Diamond

Allan B. Diamond, Esq. (*pro hac vice pending*)
Stephen T. Loden, Esq. (*pro hac vice pending*)
Christopher D. Johnson, Esq. (*pro hac vice pending*)
DIAMOND McCARTHY LLP
909 Fannin, Suite 3700
Houston, Texas 77010

Co-Counsel for Chris McAlary

CERTIFICATE OF SERVICE

On October 23, 2023, I served the following document(s):

**EX PARTE MOTION FOR AN ORDER DIRECTING EXAMINATION
PURSUANT TO FED. R. BANKR. P. 2004 OF THE COMMITTEE**

I served the above document(s) by the following means to the persons as listed below:

- ☒ a. ECF System:
- ☐ b. United States mail, postage fully prepaid:
- ☐ c. Personal Service:

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handling the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ d. By direct email (as opposed to through the ECF System):

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. By fax transmission:

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. By messenger:

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 23, 2023.

By: /s/ Candace C. Carylton
CANDACE C. CARYLON